



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,898	11/20/2000	Tania Barthel	GR 99 P 1459	8146

7590 08/20/2002

Lerner and Greenberg PA  
P O Box 2480  
Hollywood, FL 33022-2480

EXAMINER

KNOWLIN, THJUAN P

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 08/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/716,898	BARTHEL ET AL.
	Examiner Thjuan P Knowlin	Art Unit 2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 08 August 2002 (*Responsive to after final response*)

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-6 and 9-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-6 and 9-12 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____.

**DETAILED ACTION**

***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Redd, Jr. et al (US 5,467,388).
2. In regards to claims 1, 11, and 12, Redd, Jr. discloses a method for implementing telecommunication services in a telecommunication network (Fig. 2), which comprises the steps of: initiating a telecommunication service due to an event which differs from a connection setting-up request from a subscriber (col. 5-6 lines 63-2 and col. 13 lines 29-64); generating a virtual telephone number via the telecommunication service after activating the telecommunication service; signaling the virtual telephone number to a service provider, the service provider in turn indicating an occurrence of the event (col. 5 lines 63-65, col. 11-12 lines 52-1, col. 12 lines 21-41 and col. 16 lines 62-67); using a switching point (elements 11, 13, 15, and 17) to transmit the virtual telephone number from the service provider to initiate the telecommunication service after the occurrence of the event; and carrying out actions defined for the telecommunication service (col. 9 lines 21-42, col. 11 lines 35-48, and col. 13 lines 7-11).

3. In regards to claim 2, Redd, Jr. discloses the method, wherein the subscriber activates the telecommunication service so that the telecommunication service receives and processes the event that will initiate it (col. 12 lines 21-41 and lines 52-65).
4. In regards to claim 3, Redd, Jr. discloses the method, which comprises entering additional information during the activation of the telecommunication service, and the additional information is taken into account during an initiation of the telecommunication service (col. 12 lines 21-33).
5. In regards to claim 4, Redd, Jr. discloses the method, wherein the additional information contains telecommunications data relating to the subscriber, and leads to a transmission of further information to the subscriber during the subsequent actions by the telecommunication service (col. 12 lines 43-48).
6. In regards to claim 5, Redd, Jr. discloses the method, which comprises setting up at least one communication link by the telecommunication service once the telecommunication service has been initiated (col. 13 lines 7-9).
7. In regards to claim 6, Redd, Jr. discloses the method, wherein once the telecommunication service has been initiated at least one telecommunication subscriber receives a notification from a data service via the telecommunication service (col. 13 lines 7-11).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redd, Jr. et al (US 5,467,388).

9. Redd, Jr. discloses all of claims 9 and 10 limitations except the method, which comprises activating the telecommunication service simultaneously by more than one telecommunications subscriber. Redd, Jr., however, does disclose the method, which comprises activating the telecommunication service by one telecommunications subscriber (col. 5 lines 63-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ the method of activating the telecommunications service simultaneously by more than one telecommunications subscriber as a way of making the services/features available to anyone who wishes to do so or have the authorization to do so.

#### *Response to Arguments*

10. Applicant's arguments with respect to claims 1-6 and 9-12 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dulman (US 5,915,008) teaches a system and method for

changing advanced intelligent network services from customer premises equipment.

White et al (US 5,933,490) teach overload protection for on-demand access to the Internet that redirects calls from overloaded Internet service provider (ISP) to alternate Internet access provider.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

14. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Thjuan P. Knowlin  
August 16, 2002

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600